

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DISH NETWORK L.L.C.,

Plaintiff,

**V.**

DOE 1 d/b/a ZemTV, Does 2-4,  
individually and together d/b/a  
*www.tvaddons.ag*, *www.tvaddons.org*, and  
*www.streamingboxes.com*,

**Defendants.**

Civil Action No. \_\_\_\_\_

**LETTER OF REQUEST FOR INTERNATIONAL ASSISTANCE FROM GERMANY TO  
OBTAIN CERTAIN DOCUMENTS FROM CONTABO GMBH PURSUANT TO THE  
HAGUE CONVENTION ON THE TAKING OF EVIDENCE ABROAD IN CIVIL OR  
COMMERCIAL MATTERS**

The United States District Court for the Southern District of Texas, through the undersigned District Court Judge, requests international assistance to obtain evidence to be used in a civil proceeding before this Court in the above-captioned case.

If any portion of this Request is deemed to be unacceptable under the laws of Germany, please disregard that portion and continue to comply with as much of the Request as is legally permissible. The Court is willing and able to provide similar assistance to the judicial authorities of Germany should a similar request for international assistance be received from the courts of Germany.

## I. GENERAL INFORMATION

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|----|--|--|
| 1. | <b>Sender:</b>                                       | Office of the Clerk<br>United States District Court for the<br>Southern District of Texas, Houston Division<br>515 Rusk Avenue<br>Houston, TX 77002, USA |
| 2. | <b>Central Authority of the<br/>Requested State:</b> | Central Authority of Bayern (Bavaria)<br>Präsidentin des Oberlandesgerichts München  |

Prielmayerstrasse 5  
80097 München, Germany

3. **Person to whom the Executed Request is to be Returned:** Stephen M. Ferguson  
Hagan Noll & Boyle LLC  
Two Memorial City Plaza  
820 Gessner, Suite 940  
Houston, Texas 77024  
Phone: (713) 343-0478  
Facsimile: (713) 758-0146  
Email: [stephen.ferguson@hnblc.com](mailto:stephen.ferguson@hnblc.com)  
*Counsel for Plaintiff DISH Network L.L.C.*
4. **Specification of the date By which the requesting Authority requires receipt Of the response to the Letter of Request:** As soon as possible, and in any event not later than July 24, 2017.  
  
Reason for urgency: Plaintiff DISH Network needs information sufficient to identify Defendant Doe 1 so they can be named in the lawsuit and it can proceed.

**II. IN CONFORMITY WITH ARTICLE 3 OF THE HAGUE CONVENTION, THE UNDERSIGNED APPLICANT HAS THE HONOR TO SUBMIT THE FOLLOWING REQUESTS :**

1. **Requesting Judicial Authority:** United States District Court for the Southern District of Texas, Houston Division  
515 Rusk Avenue  
Houston, TX 77002, USA
2. **Competent Authority:** Central Authority of Bayern (Bavaria)  
Präsidentin des Oberlandesgerichts München  
Prielmayerstrasse 5  
80097 München, Germany
3. **Names and Addresses Of Parties and Their Representatives:**

Plaintiff:  
DISH Network LLC

Defendants:  
Does 1-4 d/b/a ZemTV, [www.tvaddons.ag](http://www.tvaddons.ag),  
[www.tvaddons.org](http://www.tvaddons.org), and [www.streamingboxes.com](http://www.streamingboxes.com)

Plaintiff's Representatives:  
Stephen M. Ferguson  
Joseph H. Boyle  
Hagan Noll & Boyle, LLC

Defendants' Representatives:  
Unknown. Defendants have not made an appearance.

Two Memorial City Plaza  
820 Gessner, Suite 940  
Houston, TX 77024  
(713) 343-0478 – Tel  
(713) 758-0146 – Fax  
[stephen.ferguson@hnbllc.com](mailto:stephen.ferguson@hnbllc.com)  
[joe.boyle@hnbllc.com](mailto:joe.boyle@hnbllc.com)

4. **Nature of the Proceedings:** This is a civil suit seeking money damages and permanent injunctive relief. DISH Network asserts copyright infringement claims against Defendants who are capturing broadcasts of television channels exclusively licensed to DISH Network in the United States and unlawfully retransmitting those channels over the Internet to customers of the ZemTV service in the United States and who have downloaded the ZemTV add-on for the Kodi media player from the websites [www.tvaddons.ag](http://www.tvaddons.ag) and [www.tvaddons.org](http://www.tvaddons.org).
5. **Summary of Defense:** Unknown. Defendants have not appeared in the case.
6. **Evidence to be obtained:**

This request is directed to Contabo GmbH, Attn. Legal, Aschauer Strasse 32a, 81549 Munich, Germany. DISH Network seeks the following documents from Contabo GmbH:

**Definitions Applicable To Document Requests**

1. **Contabo Customer.** “Contabo Customer” means each person or entity assigned or otherwise responsible for each of the following IP addresses:
  - a. **5.189.162.122** from May 23, 2017 through May 24, 2017;
  - b. **5.189.191.205** from May 23, 2017 through May 24, 2017;
  - c. **173.212.192.69** from May 23, 2017 through May 24, 2017;
  - d. **173.212.209.142** from May 23, 2017 through May 24, 2017;
  - e. **173.212.209.160** from May 23, 2017 through May 24, 2017.

**Document Requests**

1. Documents sufficient to identify the full name, contact information (including physical addresses, web addresses, email addresses, telephone numbers, and fax numbers), and IP addresses of each Contabo Customer.
2. Documents submitted to you in order to create or make changes to each account associated with each Contabo Customer.

3. Account statements for each account associated with each Contabo Customer for the time period of February 1, 2014 to present.
4. Payment records for each account associated with each Contabo Customer for the time period of February 1, 2014 to present.
5. Communications sent to or received from each Contabo Customer, including account set-up correspondence and support tickets, for the time period of February 1, 2014 to present.
7. **Documents or other property To be produced:** See documents listed in the section entitled "Evidence to be obtained".
8. **Special methods or procedures:** DISH Network requests that the documents and materials responsive to the categories of information identified above be emailed (if possible) or copied and mailed to Stephen M. Ferguson at the address identified in Section II.3 above. DISH Network shall pay the fees and costs incurred that are reimbursable. Please direct requests for payment to DISH Network's representatives, identified above in Section 3.

DATE OF REQUEST: June 19, 2017



District Court Judge  
United States District Court  
Southern District of Texas

(SEAL OF COURT)

Authenticated Signature by Clerk of the Court:

DAVID BRADLEY, Clerk of the Court

By:   
Deputy Clerk

Court's Authentication that the Clerk of Court is the Clerk of Court:

By:   
UNITED STATES DISTRICT JUDGE